

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**William N Geary
Nicole M Geary
Debtor(s)**

Bankruptcy Case No.: 18-24551-GLT
Issued Per 1/30/2020 Proceeding
Chapter: 13
Docket No.: 53 - 49
Concil. Conf.: January 30, 2020 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 25, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,713.00 as of February, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on Jan. 30, 2020 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Ally Bank Claim No. 2.

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) **IT IS FURTHER ORDERED THAT:**

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory L. Taddonio, Judge
United States Bankruptcy Court

Dated: January 30, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 William N Geary
 Nicole M Geary
 Debtors

Case No. 18-24551-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 40

Date Rcvd: Jan 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2020.

db/jdb +William N Geary, Nicole M Geary, 321 Shady Ave, Charleroi, PA 15022-1243
 14953351 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
 14953350 +Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
 14953355 +Cbna, Po Box 6282, Sioux Falls, SD 57117-6282
 14953356 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 14953357 +Chld/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 14965566 +Commonwealth OF PA, Bureau Of Comm Payroll Operations, PO Box 8006, Harrisburg, PA 17105-8006
 14953358 +Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
 14975736 +Nationstar Mortgage LLC d/b/a Mr. Cooper, P.O. Box 619096, Dallas, TX 75261-9096
 14953362 +Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
 14953364 +Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
 14953365 +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747
 14953373 +Tbom/atls/fortiva, Pob 105555, Atlanta, GA 30348-5555
 14953374 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 14953375 +U S Dept Of Ed/Gsl/Atl, Po Box 5609, Greenville, TX 75403-5609
 14977174 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15047764 US Department of Education, PO Box 16448, Saint Paul, MN 55116-0448

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Jan 31 2020 03:15:23
 Americredit Financial Services, Inc. Dba GM Financ, P.O Box 183853, Arlington, TX 76096-3853
 14966383 E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Jan 31 2020 03:15:23
 Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
 14959526 E-mail/Text: ally@ebn.phinsolutions.com Jan 31 2020 03:15:12 Ally Bank, PO Box 130424, Roseville MN 55113-0004
 14953349 +E-mail/Text: ally@ebn.phinsolutions.com Jan 31 2020 03:15:12 Ally Financial, P.o. Box 380901, Bloomington, MN 55438-0901
 14953353 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:41 Capital One, 15000 Capital One Dr, Richmond, VA 23238
 14953352 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:07 Cap1/bontn, Po Box 30253, Salt Lake City, UT 84130-0253
 14971198 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:42 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14953354 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:07 Capitalone, 15000 Capital One Dr, Richmond, VA 23238-1119
 14953359 +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Jan 31 2020 03:15:23 Gm Financial, Po Box 181145, Arlington, TX 76096-1145
 14953360 +E-mail/Text: bankruptcy@huntington.com Jan 31 2020 03:15:58 Huntington National Ba, 7 Easton Oval, Columbus, OH 43219-6060
 14953361 +E-mail/Text: bncnotices@becket-lee.com Jan 31 2020 03:15:16 Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 14953363 +E-mail/Text: nhc@nhchome.com Jan 31 2020 03:15:10 Natl Hosp Collections, 16 Distributor Dr Ste 2, Morgantown, WV 26501-7209
 14985620 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:17:39 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14954048 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:18:46 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14955609 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jan 31 2020 03:15:46 Pennsylvania Department of Revenue, Bankruptcy Division P O Box 280946, Harrisburg PA 17128-0946
 14953366 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:18:47 Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
 14953367 E-mail/PDF: cbp@onemainfinancial.com Jan 31 2020 03:17:56 Springleaf Financial S, Po Box 18142, Pleasant Hills, PA 15236
 14953368 +E-mail/PDF: geccsedi@recoverycorp.com Jan 31 2020 03:17:58 Syncb/lowes, Po Box 956005, Orlando, FL 32896-0001
 14953369 +E-mail/PDF: geccsedi@recoverycorp.com Jan 31 2020 03:17:27 Syncb/old Navy, Po Box 965005, Orlando, FL 32896-5005
 14953370 +E-mail/PDF: geccsedi@recoverycorp.com Jan 31 2020 03:17:27 Syncb/paypal Extras Mc, Po Box 965005, Orlando, FL 32896-5005
 14953371 +E-mail/PDF: geccsedi@recoverycorp.com Jan 31 2020 03:17:58 Syncb/qvc, Po Box 965005, Orlando, FL 32896-5005
 14953372 +E-mail/PDF: geccsedi@recoverycorp.com Jan 31 2020 03:17:58 Syncb/roomful Express, C/o Po Box 965036, Orlando, FL 32896-0001
 14980954 E-mail/PDF: EBN_AIS@AMERICANINFO SOURCE.COM Jan 31 2020 03:17:49 Verizon, by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 TOTAL: 23

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 40

Date Rcvd: Jan 30, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14965557* +Ally Financial, P.O. Box 380901, Bloomington, MN 55438-0901
14965559* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bk Of Amer, Po Box 982238, El Paso, TX 79998)
14965558* +Bankamerica, 4909 Savarese Circle, Tampa, FL 33634-2413
14965561* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
14965560* +Cap1/bontn, Po Box 30253, Salt Lake City, UT 84130-0253
14965562* +Capitalone, 15000 Capital One Dr, Richmond, VA 23238-1119
14965563* +Cbna, Po Box 6282, Sioux Falls, SD 57117-6282
14965564* +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
14965565* +Chld/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14965567* +Gm Financial, Po Box 181145, Arlington, TX 76096-1145
14965568* +Huntington National Ba, 7 Easton Oval, Columbus, OH 43219-6060
14965569* +Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14965570* +Nationstar/mr Cooper, 350 Highland, Houston, TX 77009-6623
14965571* +Natl Hosp Collections, 16 Distributor Dr Ste 2, Morgantown, WV 26501-7209
14965572* +Nissan Motor Acceptanc, Po Box 660360, Dallas, TX 75266-0360
14965573* +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747
14965574* +Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
14965575* ++SPRINGLEAF FINANCIAL SERVICES, P O BOX 3251, EVANSVILLE IN 47731-3251
(address filed with court: Springleaf Financial S, Po Box 18142, Pleasant Hills, PA 15236)
14965576* +Syncb/lowes, Po Box 956005, Orlando, FL 32896-0001
14965577* +Syncb/old Navy, Po Box 965005, Orlando, FL 32896-5005
14965578* +Syncb/paypal Extras Mc, Po Box 965005, Orlando, FL 32896-5005
14965579* +Syncb/qvc, Po Box 965005, Orlando, FL 32896-5005
14965580* +Syncb/roomful Express, C/o Po Box 965036, Orlando, FL 32896-0001
14965581* +Tbom/atls/fortiva, Pob 105555, Atlanta, GA 30348-5555
14965582* +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
14965583* +U S Dept Of Ed/Gsl/At1, Po Box 5609, Greenville, TX 75403-5609

TOTALS: 1, * 27, ## 0

Addresses marked '' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkgroup@kmllawgroup.com
Lawrence W. Willis on behalf of Debtor William N Geary ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com:willislr88866@notify.bestcase.com
Lawrence W. Willis on behalf of Joint Debtor Nicole M Geary ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com:willislr88866@notify.bestcase.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winneccour cmecf@chapter13trusteewdpa.com

TOTAL: 5